

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18-cv-134-FDW
(3:12-cr-144-FDW-1)**

CARL HARRIS,)	
)	
Petitioner,)	
)	
vs.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
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THIS MATTER is before the Court on a periodic status review.

On March 22, 2018, this Court conducted an initial screening of the petition under the Rules Governing § 2255 Proceedings, Rule 4(b) 28 U.S.C.A. foll. § 2255, and found that the petition was not signed by Petitioner under penalty of perjury, Rule 2(b)(5), 28 U.S.C.A. foll. § 2255. The Court therefore issued an order, giving Petitioner twenty days in which to sign the petition under penalty of perjury and resubmit it in accordance with Rule 2(b)(5) of the Rules Governing § 2255 Proceedings. (Doc. No. 2). The Court also instructed the Clerk to mail Petitioner a form used for Section 2255 proceedings. The Court’s Order specifically stated that “Petitioner’s failure to return his Section 2255 form, signed under penalty of perjury, within twenty days of service of this Order may result in dismissal of this action without prejudice.” (Id. at 2).

Petitioner has not resubmitted his Section 2255 petition, signed under penalty of perjury, in accordance with this Court’s Order, and the time to do so has passed. Therefore, this action will be dismissed without prejudice.¹

¹ This action also appears to be time-barred.

IT IS SO ORDERED.

Signed: May 14, 2018

A handwritten signature in black ink, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

